
STATUTORY INSTRUMENTS

2004 No. 3244

**The Freedom of Information and Data Protection
(Appropriate Limit and Fees) Regulations 2004**

Maximum fee for communication of information under section 13 of the 2000 Act

7.—(1) Any fee to be charged under section 13 of the 2000 Act by a public authority to whom a request for information is made is not to exceed the maximum determined by a public authority in accordance with this regulation.

(2) The maximum fee is a sum equivalent to the total of—

- (a) the costs which the public authority may take into account under regulation 4 in relation to that request, and
- (b) the costs it reasonably expects to incur in relation to the request in—
 - (i) informing the person making the request whether it holds the information, and
 - (ii) communicating the information to the person making the request.

(3) But a public authority is to disregard, for the purposes of paragraph(2)(a), any costs which it may take into account under regulation 4 solely by virtue of the provision made by regulation 5.

(4) Costs which may be taken into account by a public authority for the purposes of paragraph (2) (b) include, but are not limited to, the costs of—

- (a) giving effect to any preference expressed by the person making the request as to the means or form of communicating the information,
- (b) reproducing any document containing the information, and
- (c) postage and other forms of transmitting the information.

(5) For the purposes of this regulation, the provision for the estimation of costs made by regulation 4(4) is to be taken to apply to the costs mentioned in paragraph (2)(b) as it does to the costs mentioned in regulation 4(3).